

ORIGINAL
FILED
07 JUL -2 AM 10:04
RICHARD H. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

R. SCOTT ERLEWINE (State Bar No. 095106)
MEAGAN MCKINLEY-BALL (State Bar No. 245375)
PHILLIPS, ERLEWINE & GIVEN LLP
One Embarcadero Center, Suite 2350
San Francisco, California 94111
Telephone: (415) 398-0900
Facsimile: (415) 398-0911

Attorneys for Plaintiff
NORCA INDUSTRIAL, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NORCA INDUSTRIAL, LLC, a New York
Limited Liability Company,

Plaintiff,

v.

ROBERT WREN, an individual; PRIMROSE
METALS, INC., a California corporation;
RICHARD RAYBIN, an individual; LIFETIME
CAPITAL GROUP, an unknown entity;
VICTORIA PICLOTTI, an individual;

Defendants.

CASE NO. C 07 3425 EDL

**SUPPLEMENTAL
DECLARATION OF COUNSEL
IN SUPPORT OF PLAINTIFF'S
EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING
ORDER, PRELIMINARY
INJUNCTION AND EXPEDITED
DISCOVERY**

Date: July 2, 2007

Time: 10:00 a.m.

Room: Clerk's Office, 16th Flr.

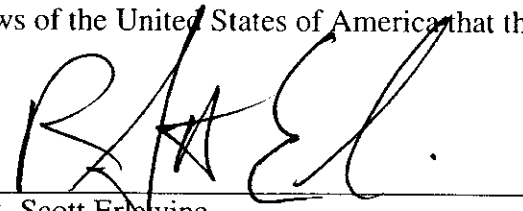
R. SCOTT ERLEWINE declares:

1. I am a member of Phillips, Erlewine & Given LLP, counsel for defendant Norca Industrial LLC (hereafter "Norca") in this action. The facts set forth in this declaration are based upon my personal knowledge, except where stated to be on information and belief, and as to those, I believe it to be true.

1 2. Attached hereto as Exhibit A is a true and correct copy of an e-mail I received on
2 June 30, 2007 from John Cha, Esq., who I understand represents Robert Wren.

3 I declare under penalty of perjury under the laws of the United States of America that the
4 foregoing is true and correct.

5 Executed on: ~~June~~ ^{July 2,} __, 2007
6


R. Scott Erlewine

Randy Erlewine

From: John Cha [JCha@srclaw.com]
Sent: Saturday, June 30, 2007 10:30 AM
To: rse@phillaw.com
Cc: Brent Finch
Subject: Norca v. Bob Wren, et al.

Randy:

Thank you for e-mailing the declarations and supporting documents last evening. Let me know when the remaining paperwork is completed.

Question: can you please dismiss Victoria Picolotti? She, as you know, is/was Bob's secretary. She will, of course, be made available to you upon request, formal or informal, but I doubt you need her as a named-defendant. Let me know.

Information: Richard Raybin – I don't believe he was properly served with process because your process server just dropped off the documents with Bob Wren. Raybin and Wren no longer have a relationship. Further, Primrose Metals, Inc., is no longer affiliated with Bob Wren. Rather, we incorporated Primrose Alloys, Inc., and it is that new entity for which Bob Wren is the President. Primrose Metals, Inc., was incorporated by Rick Raybin. Based on your declaration, I believe Lifetime Capital Group is a Raybin-controlled entity of which an affiliation with Bob Wren does not exist.

Thanks.

John S. Cha
STONE | ROSENBLATT | CHA
21550 Oxnard St. | Main Plaza | Ste. 200
Woodland Hills | CA | 91367
T: 818/999-2232 | F: 818/999-2269
www.srclaw.com

The information contained in this e-mail is intended only for the individual(s) to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any review, use, disclosure, distribution, or copying of this communication is prohibited. If you have received this transmission in error, please contact the sender by reply e-mail and destroy all copies of the original e-mail. Thank you.

7/2/2007